IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 24804 of 2004

Between:

1 Devarapalli Ramaiah, s/o Sampathaiah,
r/o Devarapalli village, Thyotlavalleru Mandal, Krishna District.
2 Smt. Devarapalli Sambrajyam, W/o Purushotham,
r/o Devarapalli village, Thyotlavalleru Mandal, Krishna District.

..... PETITIONERS

AND

1 The Station House Officer, Thyotlavalleru Police Station,
Thyotlavalleru Mandal, Krishna District.
2 The Mandal Revenue Officer, Thyotlavalleru Mandal, Krishna

District.
3 K. Durga Prasada Rao, S/o Venkataratnam
R/o 20-16-5, Chintavari Street, Arandalpeta, Vijayawada-2.
4 Sajja Koteswar Rao, S/o Subba Rao,
Plot No.2, 1st Floor, Dharsi Apartments, Near Sai Baba Temple,

R.T.C. Colony, Vijayawada-10.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondent No.1 in harassing the petitioners and other members by booking false criminal cases against the petitioners and others as illegal, arbitrary unconstitutional opposed to Art. 14, 21 and contrary to the principles of natural justice consequently to direct the

respondent No.1 not to harass the petitioners.

Counsel for the Petitioner:Smt.A.VARALAKSHMI

Counsel for the Respondents 1and 2: GP FOR HOME

The Court at the stage of admission made the following ORDER:

Petitioners seek a declaration that the action of the first respondent, viz. the Station House Officer, Thyotlavalleru police station in harassing them and other members by registering criminal cases, as illegal, arbitrary and unconstitutional.

Heard learned counsel for the petitioners and learned Government Pleader for Home.

The allegation of the petitioners is that the first respondent is indiscriminately registering cases against them and subjecting them to harassment. It is not their allegation that the first respondent has required them to attend the police station and arrested them without registering any cases. The truth or otherwise of the allegations against the petitioners can be decided only by the criminal Court in which the matters are pending. As long as the action taken by the first respondent is in pursuance of the complaints and after registering the cases, this Court cannot find any exception to the same.

Hence, the writ petition is dismissed leaving it open to the petitioners to put forward their contentions before the Court trying the cases registered against them. There shall be no order as to costs.

30.12.2004

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To

1 The Station House Officer, Thyotlavalleru Police Station, Thyotlavalleru Mandal, Krishna District.
2 The Mandal Revenue Officer, Thyotlavalleru Mandal, Krishna

District.
3 Two CCs. to the G.P. for Home, High Court of A.P., Hyderabad

(OUT).

4 Two CD copies.